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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/088,727	06/02/1998	MICHAËL FRY	36-1227	2084

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EXAMINER

KANG, PAUL H

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 07/08/2003

31

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/088,727

Applicant(s)

FRY ET AL.

Examiner

Paul H Kang

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 and 9 is/are allowed.
- 6) ☒ Claim(s) 1,2,4-8,10 and 11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

24

Art Unit: 2142

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 4-8 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katseff et al., US Pat. No. 6,075,796 in view of Iyengar, US Pat. No. 5,961,601.

3. As to claims 1, 4, 6, 7 and 11, Katseff discloses:

a World Wide Web (WWW) server, a client computer, at least one dynamic proxy server computer and a method of transmitting data from a first computer to a client computer network (figure 4 and col. 1, line 16 – col. 2, line 55), the system and method further comprising,

said dynamic proxy server computer being located in a computer network such that it is in a communications route intermediate a server computer and a client computer (figure 4, POP 84),

the dynamic proxy server computer being configured to receive data transmitted in a first data format from said server computer, to transform received data to a second data format from said first data format without substantially changing the information content of said data and to transmit the transformed said data to the client computer in said second data format (col. 2, line 19-51 and col. 5, line 63 – col. 6, line 55).

However, Katseff does not explicitly teach said dynamic proxy server computer being configured to run a program for transforming data, which program is referred to by an address

Art Unit: 2142

within a data store connected to the computer network from where the computer program is available for downloading by server computers connected to the computer network, wherein the transforming performed by the dynamic proxy server computer is determined by the content of a protocol dynamically downloaded from a third server computer. In Katseff, the translator is stored on the proxy server.

In the same field of endeavor, Iyengar teaches a system which dynamically downloads a CGI converter program from a remote computer to perform data conversions (Iyengar, col. 16, lines 30-42). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the downloadable translator, as taught by Iyengar, into the transformation system of Katseff for the purpose of increasing the efficiency by distributing tasks.

4. As to claims 2 and 8, Katseff-Iyengar teaches a system wherein said data is transmitted from the first server computer to the second server computer using a first transport protocol (UDP) and the transformed data is transmitted from the second server computer to the client using a second transport protocol (TCP) (Katseff, col. 5, line 63 – col. 6, line 55).

5. As to claim 5 and 10, Katseff-Iyengar discloses a system wherein said first server computer is a WWW server (Katseff, abstract and figure 4).

6. Claims 3 and 9 are allowed.

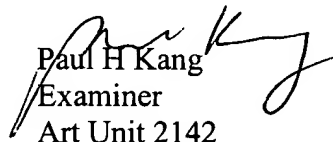
Art Unit: 2142

7. Applicant's arguments with respect to claims 1-2, 4-8, and 10-11 have been considered but are moot in view of the new ground(s) of rejection. The Applicants argue that the prior art of record does not teach a second server computer which dynamically downloads a program for transforming data. The new grounds of rejection teaches this feature.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H Kang whose telephone number is (703) 308-6123. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Powell can be reached on (703) 305-9703. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


Paul H Kang
Examiner
Art Unit 2142

June 30, 2003